

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN WALLACE,	:	
Plaintiff	:	
v.	:	Case No. 3:23-cv-114-KAP
SUPERINTENDENT D. OBERLANDER,	:	
S.C.I. FOREST, <i>et al.</i> ,	:	
Defendants	:	

Memorandum Order

Upon review of plaintiff Wallace's most recent motion to proceed *in forma pauperis*, ECF no. 14, and inmate account statement, ECF no. 13, the motion is granted in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(a)(2), (b)(1)-(2). The inmate account officer at any institution where plaintiff may be incarcerated shall forward to the Clerk of the United States District Court for the Western District of Pennsylvania the greater of twenty percent of the average monthly deposits to the plaintiff's inmate account for the six months prior to the date of this order, or twenty percent of the average balance of plaintiff's inmate account during the same time period; and in accordance with 28 U.S.C. § 1915(b)(2), the inmate account officer shall begin immediately to deduct from plaintiff's inmate account twenty percent (20%) of each item of income on the date received, accrue these items and forward one payment per month of the amount accrued to the Clerk, whenever the amount in plaintiff's account exceeds \$10.00, until the entire filing fee of \$350.00 has been paid, regardless of any dismissal of the complaint.

Plaintiff has filed an amended complaint at ECF no. 8 that supersedes the original complaint at ECF no.1, but does not include all the exhibits attached to the original complaint (Exhibits A-K). Plaintiff must send the Clerk forms for service and a copy of the Amended Complaint for each defendant with all the exhibits he intends to be part of the Amended Complaint. The Clerk shall upon request send blank service forms for plaintiff to complete. After screening, I will order the Marshal to serve the complaint on those defendants against whom a claim is stated. Since the plaintiff is proceeding *in forma pauperis*, costs of service will be advanced by the United States. That does not extend to the costs of making duplicate complaints for each defendant.

The pleadings at ECF no. 9 ("Petitioner Motion") and ECF no. 10 ("Motion to Appeal In Forma Pauperis"), docketed as motions, are denied. ECF no. 9 is an attempt to amend the Amended Complaint to add defendant identified as "Cpt. Weiland." That sort of piecemeal accretion of parties and claims is not permitted: if plaintiff wants to amend his Amended Complaint he must file a motion to amend (it should be titled Motion to

Amend Complaint) and attach as an exhibit the entire proposed amended complaint, exhibits included. litigation as new claims or defendants occur to plaintiff is denied. As for ECF no. 10, it appears to be a motion to reconsider my previous denial of *in forma pauperis* status, and since I have granted the most recent motion at ECF no. 14 this one is moot.



DATE: July 18, 2023

Keith A. Pesto,
United States Magistrate Judge

Notice by U.S. Mail to:

Shawn Wallace NW-6861
S.C.I. Forest
P.O. Box 945
286 Woodland Drive
Marienville, PA 16239

Inmate Account Officer